

IC 4-23-7

Chapter 7. Indiana Library and Historical Department

IC 4-23-7-1

Creation

Sec. 1. There is hereby created and established a department of the state government which shall be known as the Indiana Library and Historical Department.

(Formerly: Acts 1925, c.58, s.1.)

IC 4-23-7-2

Board membership; term of office; vacancies

Sec. 2. The management and control of the Indiana library and historical department is hereby vested in a board which shall be known as the Indiana library and historical board, and which shall consist of five (5) members, who shall be appointed by the governor, as hereinafter provided. In the first instance, one (1) of such members shall be appointed for a term of one (1) year, one (1) member for a term of two (2) years, one (1) member for a term of three (3) years, and two (2) members for a term of four (4) years. Thereafter all members shall be appointed for terms of four (4) years. No person shall be appointed as a member of the Indiana library and historical board unless he is a citizen of high standing and probity and has a known and active interest in library or historical work. One (1) member of the library and historical board shall be appointed on recommendation of the state board of education, one (1) member shall be appointed on recommendation of the Indiana library, trustee association, one (1) member shall be appointed on recommendation of the Indiana library association, one (1) member shall be appointed on recommendation of the Indiana historical society, and one (1) member shall be selected and appointed by the governor. The members of the board shall serve without compensation, but shall be entitled to receive their actual expenses necessarily incurred in attending the meetings and transacting the business of the board, and in participating in such other activities as may be in the interest of the department. Any vacancy which may occur in the membership of the board for any cause shall be filled by appointment by the governor for the unexpired term, either on recommendation of the board, association or society hereinbefore authorized to make recommendations, or by selection by the governor, as hereinbefore provided. The board may prepare plans subject to the approval of the governor and advise with the proper officials in the construction of alterations and additions to the building and provide necessary equipment and furnishings within the appropriations of funds for these purposes. The board may receive and administer any state or federal aid which may become available for the improvement and development of library and historical services in Indiana.

(Formerly: Acts 1925, c.58, s.2; Acts 1947, c.327, s.1; Acts 1967, c.38, s.1.)

IC 4-23-7-2.1

Board; election of officers; executive secretary

Sec. 2.1. (a) The Indiana library and historical board shall elect one (1) of its members as president, another as secretary, and such other officers as it determines, each of whom shall hold office for a term of one (1) year.

(b) The board may designate the director of the state library or the director of the historical bureau as the executive secretary of the board with duties as prescribed by the board.

As added by Acts 1981, P.L.40, SEC.1.

IC 4-23-7-3

Divisions

Sec. 3. The Indiana library and historical department consists of two (2) divisions, the Indiana state library and the Indiana historical bureau. *(Formerly: Acts 1925, c.58, s.3; Acts 1947, c.327, s.2.) As amended by Acts 1981, P.L.40, SEC.2.*

IC 4-23-7-3.2

Employees; duties among divisions

Sec. 3.2. In perfecting the internal organization of the department, the board may so apportion the duties of the department and of the several divisions thereof that like services in the various divisions may be performed by the same employee or employees for the entire department.

As added by Acts 1981, P.L.40, SEC.3.

IC 4-23-7-3.5

Political activity; prohibition

Sec. 3.5. No member of the library and historical board nor any director or other employee of the department shall directly or indirectly solicit subscription or contribution for any political party or political purpose, or be forced in any way to make such contribution, or be required to participate in any form of political activity.

As added by Acts 1981, P.L.40, SEC.4.

IC 4-23-7-4

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-5

Rules and regulations

Sec. 5. Subject to the provisions of this chapter, the library and historical board shall formulate rules and regulations for the care, management, and expansion of the library and historical department so that the department and its several divisions may at all times be operated according to the most approved standards of library and historical service.

(Formerly: Acts 1925, c.58, s.5.) As amended by P.L.5-1984, SEC.183.

IC 4-23-7-5.2

Gifts, bequests, and devises; acceptance; limitation

Sec. 5.2. The Indiana library and historical board may accept gifts, bequests, and devises of personal and real property for the maintenance, use, or benefit of the Indiana library and historical department under such terms and conditions and with such obligations, liabilities, and burdens as in the judgment of the board and the governor is in the best interest of the Indiana library and historical department; however, no obligation, liability, or burden shall be assumed that is in excess of appropriations made by law for the payment of such obligations, liabilities, and burdens.

As added by Acts 1981, P.L.40, SEC.5.

IC 4-23-7-5.3

Disposition of library materials

Sec. 5.3. (a) The Indiana library and historical board may, on the recommendation of the director of the state library, sell, lease, exchange, or otherwise dispose of library materials under:

- (1) IC 4-13-2-12; or
- (2) IC 4-13-2-12.5.

(b) The Indiana library and historical board may, on the recommendation of the director of the state library and in accordance with policies and procedures adopted by the board, sell, donate, or exchange library materials to or with other public or nonprofit libraries or historical societies.

(c) The Indiana library and historical board may, on the recommendation of the director of the state library, adopt policies and procedures for evaluating a proposal to:

- (1) accept gifts of;
- (2) sell;
- (3) exchange; or
- (4) otherwise dispose of;

library materials described in IC 4-23-7.1-3.

As added by P.L.30-1997, SEC.1.

IC 4-23-7-5.4

Library and historical department fund; establishment; use; deposits

Sec. 5.4. (a) The library and historical department fund is established as a dedicated fund to be administered by the Indiana library and historical board. The monies in the fund may be expended by the board exclusively for the maintenance, use, or benefit of the Indiana library and historical department.

(b) The proceeds from the sale of items as directed by law or by the Indiana library and historical board, from gifts of money or the proceeds from the sale of gifts donated to the fund, and from investment earnings from any portion of the fund, shall be deposited in the fund.

(c) All monies accruing in the fund are hereby appropriated continuously for the purposes specified in this section.

(d) No portion of the fund shall revert to the general fund of the state at the end of a fiscal year; however, if the fund is abolished, its

contents shall revert to the general fund of the state.
As added by Acts 1981, P.L.40, SEC.6.

IC 4-23-7-6

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-7

Repealed

(Repealed by Acts 1979, P.L.40, SEC.25.)

IC 4-23-7-8

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-9

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-10

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-11

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-12

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-13

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-14

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-14.5

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-14.6

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-15

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-16

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-17

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-18

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-19

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-20

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-21

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-22

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-23

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-23.4

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-23.5

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-23.6

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-24

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-25

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-26

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-27

Repealed

(Repealed by Acts 1981, P.L.40, SEC.10.)

IC 4-23-7-28

Repealed

(Repealed by P.L.32-1985, SEC.8.)

IC 4-23-7-29

Repealed

(Repealed by P.L.32-1985, SEC.8.)

IC 4-23-7-30

Council on library automation; establishment; powers and duties

Sec. 30. (a) The Indiana library and historical board shall establish the council on library automation to:

- (1) conduct ongoing planning activities for library automation in Indiana; and
- (2) advance the automation goals of Indiana's libraries through the cooperation of the appropriate library agencies and organizations.

(b) The council on library automation consists of thirteen (13) members as follows:

- (1) One (1) member from the Indiana library and historical board.
- (2) Two (2) members from area library services authorities.
- (3) Two (2) members from the Indiana cooperative library services authority.
- (4) Two (2) members from the department of education.
- (5) Two (2) members from the state university library automation committee.
- (6) Two (2) members from the Indiana state library.
- (7) Two (2) members from public libraries.

(c) With regard to the members described in subsection (b)(1) through (b)(6), each respective entity or agency described in subsection (b)(1) through (b)(6) shall forward its nominees for appointment on the council to the Indiana library and historical board for confirmation.

(d) The Indiana library and historical board shall establish a process to select the members appointed under subsection (b)(7).

(e) Except as provided in subsection (f), the terms of office for council members is three (3) years.

(f) The Indiana library and historical board shall establish the procedures for the council, including staggering the terms for initial members of the council.

(g) The council may do the following:

- (1) Encourage planning by individual libraries and groups of

libraries with regard to library automation.

(2) Annually update and distribute the statewide library automation and resource sharing plan.

(3) Submit to the state library board its recommendations concerning the adoption of library automation standards under IC 4-23-7.1-11(b).

(4) Encourage library automation, resource sharing, and document delivery programs that are consistent with state technology strategies, educational programs, and economic interests.

(5) Consult with appropriate agencies and organizations with an interest in library automation and resource sharing in Indiana.

(h) The council shall provide an annual report to the Indiana library and historical board on the council's activities and progress made towards meeting the goals in the statewide library automation and resource sharing plan. The council shall recommend to the Indiana library and historical board funding strategies that support the goals and initiatives contained in the statewide plan.

As added by P.L.25-1992, SEC.1.